



Driving progress
through partnership

Melissa A. Geist

Direct Phone: +1 609 514 5978

Email: mgeist@reedsmith.com

Reed Smith LLP
506 Carnegie Center
Suite 300
Princeton, NJ 08540-7839
+1 609 987 0050
Fax +1 609 951 0824
reedsmith.com

June 2, 2025

Via ECF

Honorable Rukhsanah L. Singh, U.S.M.J.
United States District Court, District of New Jersey
Frank Lautenberg Post Office & U.S. Courthouse
2 Federal Plaza, 3rd Floor
Newark, New Jersey 07102

**Re: In re: Insulin Pricing Litigation, No. 2:23-md-03080-BRM-RLS, MDL No. 3080:
Defendants' Request for Order Dismissing Case No. 2:25-cv-00524**

Dear Judge Singh:

Defendants write regarding Plaintiff 1978 Retired Construction Workers Fund's failure to serve a completed Plaintiff Fact Sheet ("PFS") for Case No. 2:25-cv-00524 as required by the Court's May 6, 2025 Order to Show Cause. *See* ECF No. 521.

On May 6, 2025, the Court issued an Order to Show Cause requiring fifteen Plaintiffs to tender a completed PFS compliant with CMO 14 by May 19, 2025, or have their complaint dismissed. *Id.* Plaintiff 1978 Retired Construction Workers Fund did not serve a PFS by that deadline. Defendants therefore respectfully request the Court enforce its Order to Show Cause and dismiss Case No. 2:25-cv-00524.

SO ORDERED:

Rukhsanah L. Singh, USMJ
DATED: June _____, 2025

cc: All Counsel of Record (via ECF)

June 2, 2025

Page 2

ReedSmith

Dated: June 2, 2025

Respectfully submitted,

/s/ Brian W. Carroll**MCCARTER & ENGLISH, LLP**

Brian W. Carroll

Four Gateway Center

100 Mulberry St.

Newark, NJ 07102

(973) 639-2020

bcarroll@mccarter.com**DAVIS POLK & WARDWELL LLP**James P. Rouhandeh (*pro hac vice*)David B. Toscano (*pro hac vice*)

450 Lexington Ave.

New York, NY 10017

(212) 450-4000

rouhandeh@davispolk.comdavid.toscano@davispolk.com**Davis Polk & Wardwell LLP**Neal A. Potischman (*pro hac vice*)Andrew Yaphe (*pro hac vice*)

900 Middlefield Road

Redwood City, CA 94063

T: (650) 752-2000

Attorneys for Defendant Novo Nordisk Inc./s/ Liza M. Walsh**WALSH PIZZI O'REILLY FALANGA LLP**

Liza M. Walsh

Katelyn O'Reilly

Three Gateway Center

100 Mulberry St., 15th floor

Newark, NJ 07102

(973) 757-1100

lwalsh@walsh.lawkoreilly@thewalshfirm.com**JONES DAY**Michael R. Shumaker (*pro hac vice*)Julie E. McEvoy (*pro hac vice*)William D. Coglianese (*pro hac vice*)Melissa L. Patterson (*pro hac vice*)

51 Louisiana Ave. NW

Washington, DC 20001

(202) 879-3939

mrshumaker@jonesday.comjmcevoy@jonesday.comwcoglianese@jonesday.commpatterson@jonesday.com*Attorneys for Defendant Sanofi-Aventis**U.S. LLC*

June 2, 2025

Page 3

ReedSmith*/s/ Melissa A. Geist*

REED SMITH LLP

Melissa A. Geist

Julia A. López

506 Carnegie Center, Suite 300

Princeton, NJ 08540

(609) 514-5978

mgeist@reedsmith.com

jalopez@reedsmith.com

KIRKLAND & ELLIS LLPJames F. Hurst (*pro hac vice*)Diana M. Watral (*pro hac vice*)Ryan Moorman (*pro hac vice*)Jason A. Feld (*pro hac vice*)

333 West Wolf Point Plaza

Chicago, IL 60654

(312) 862-2000

james.hurst@kirkland.com

diana.watral@kirkland.com

ryan.moorman@kirkland.com

jason.feld@kirkland.com

*Attorneys for Defendant Eli Lilly and
Company*

June 2, 2025

Page 4

ReedSmith/s/ Brian Boone**O'TOOLE SCRIVO, LLC**

Thomas P. Scrivo
Young Yu
14 Village Park Road
Cedar Grove, NJ 07009
(973) 239-5700
tscrivo@oslaw.com
yyu@oslaw.com

ALSTON & BIRD LLP

Brian D. Boone
1120 S. Tyron St., Ste. 300
Charlotte, NC 28203
(704) 444-1000 brian.boone@alston.com

ALSTON & BIRD LLP

Elizabeth Broadway Brown
1201 W. Peachtree St. NW, Ste. 4900 Atlanta,
GA 30309
(404) 881-7000
liz.brown@alston.com

ALSTON & BIRD LLP

Kelley Connolly Barnaby
950 F. Street, NW
Washington, D.C. 20004
(202) 239-3300 kelley.barnaby@alston.com

Attorneys for Defendant OptumRx, Inc.

/s/ Jason R. Scherr**MORGAN, LEWIS & BOCKIUS LLP**

Jason R. Scherr
Elise M. Attridge
Lindsey T. Levy
1111 Pennsylvania Avenue, NW Washington,
DC 20004
(202) 739-3000
jr.scherr@morganlewis.com
elise.attridge@morganlewis.com
lindsey.levy@morganlewis.com

*Attorneys for Defendants Express Scripts, Inc.;
Express Scripts Administrators, LLC; ESI Mail
Pharmacy Service, Inc.; Express Scripts
Pharmacy, Inc.; and Medco Health Solutions,
Inc.*

June 2, 2025

Page 5

ReedSmith

/s/ Benjamin Hazelwood**MARINO, TORTORELLA & BOYLE, P.C.**

Kevin H. Marino

John D. Tortorella

437 Southern Boulevard

Chatham, New Jersey 07928

(973) 824-9300

kmarino@khmarino.com

jtortorella@khmarino.com

WILLIAMS & CONNOLLY LLP

Enu Mainigi

Craig Singer

R. Kennon Poteat III

A. Joshua Podoll

Benjamin Hazelwood

Daniel Dockery

680 Maine Avenue, S.W.

Washington, D.C. 20024

(202) 434-5000

emainigi@wc.com

csinger@wc.com

kpoteat@wc.com

apodoll@wc.com

bhazelwood@wc.com

ddockery@wc.com

*Attorneys for Defendants CVS Pharmacy, Inc.;
Caremark Rx, L.L.C.; CaremarkPCS Health,
L.L.C.; and Caremark, L.L.C.*